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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

OWEN DIAZ,  
Plaintiff,  
v.  
TESLA, INC. dba TESLA MOTORS, INC.;  
Defendant.

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Case No. 3:17-cv-06748-WHO

**JOINT STIPULATION REGARDING  
SCHEDULE AND PROCEDURES FOR  
POST-TRIAL MOTION FOR  
ATTORNEY'S FEES; [PROPOSED]  
ORDER**

Trial Date: March 27, 2023  
Judgment Entered: April 12, 2023

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

Pursuant to Civil Local Rule 7-12, Plaintiff Owen Diaz (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), by and through their attorneys of record, hereby submit this Joint Stipulation Regarding Schedule for Plaintiff’s Motion for Attorney’s Fees.

**WHEREAS**, on April 11, 2023, the Court entered Judgment in this matter following a verdict in a jury trial (Dkt. 417) that triggered the deadlines for the parties to file various post-trial motions, including Plaintiff’s motion for attorneys’ fees and expenses;

**WHEREAS**, Plaintiff intends to file a motion for attorneys’ fees and expenses pursuant to 42 U.S.C. § 1988;

**WHEREAS**, the Court previously granted the parties’ stipulation to extend the time for Plaintiff’s motion for attorneys’ fees and expenses until 14 days after the Court ruled on all of the parties’ pending post-trial motions;

**WHEREAS**, the Court ruled on the parties’ post-trial motions on October 4, 2023, making October 18, 2023 the deadline for filing Plaintiff’s motion for attorneys’ fees and expenses;

**WHEREAS**, the parties have met and conferred and agree that judicial economy and the schedules of counsel would benefit from an amended briefing and hearing schedule on Plaintiff’s motion for attorney’s fees.

**NOW THEREFORE**, it is stipulated by and between the parties that:

- 1) Plaintiff shall file his motion for statutory attorney’s fees and expenses no later than October 25, 2023;
- 2) Defendant shall file its opposition no later than November 17, 2023;
- 3) Plaintiff shall file his reply brief no later than December 4, 2023;
- 4) The Court’s hearing on Plaintiff’s motion shall be scheduled for January 10, 2024, or as soon thereafter is convenient for the Court.

**IT IS SO STIPULATED.**

CALIFORNIA CIVIL RIGHTS LAW GROUP  
ALEXANDER MORRISON + FEHR LLP  
ALTSHULER BERZON LLP  
COLLIER LAW FIRM

DATED: October 16, 2023

By: /s/ Cimone Nunley

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OWEN DIAZ

DATED: October 16, 2023

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Daniel Posner

Kathleen M. Sullivan  
Daniel C. Posner  
Mari Henderson  
Asher Griffin  
Attorneys for Defendant  
TESLA, INC.

**[PROPOSED] ORDER**

Based upon the Parties' Stipulation, and good cause having been shown, **IT IS HEREBY ORDERED THAT:**

- 1) Plaintiff shall file his motion no later than October 25, 2023;
- 2) Defendant shall file its response no later than November 17, 2023;
- 3) Plaintiff shall file his reply brief no later than December 4, 2023;
- 4) Hearing on Plaintiff's motion shall be scheduled for January 10, 2024, or as soon thereafter is convenient for the Court.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2023

Hon. William H. Orrick

Dated: October 16, 2023

Case No. 3:17-cv-06748-WHO